IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Misc. Application No. 2 of 2001

Uma Joshi & others ….Applicant

Versus

State of Uttaranchal & other ….Opposite Party

Sri V.B.S. Negi learned counsel for the applicant
Sri Sayed Nadim learned counsel for the opposite party

Hon'ble B.C. Kandpal, J.

Heard Sri V.B.S. Negi learned counsel for the applicant and Sri Sayed Nadim learned counsel for the opposite party.

Sri V.B.S. Negi learned counsel for the applicants started the arguments but the counsel for the opposite party raised preliminary objections that the civil suit pending before the court has now been decided, hence the rights between the parties have been adjudicated by the competent court of jurisdiction.

The aforesaid fact mentioned by the learned counsel for the opposite party has not been controverted by the learned counsel for the applicants and he has also agreed to this fact that the civil suit has been decided.

In view of the aforesaid circumstances, I think that this petition under Section 482 Cr.P.C. challenging the order passed by the Court below in the proceedings under Section 145 Cr.P.C. has become infructuous.

Accordingly, the petition is dismissed being infructuous.

30.07.2004 **(B.C. Kandpal, J.)**
ASWAL